

REMARKS**Summary of the Office Action**

Claims 9-14 stand rejected under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter.

Claims 1-14 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Ando et al. (U.S. Pub. No. 2001/0010754) (hereinafter "Ando").

Summary of the Response to the Office Action

Applicants have amended claims 9-14, and have added new claims 15-17, to differently describe embodiments of the disclosure of the instant application and/or to improve the form of the claims. Accordingly, claims 1-17 are currently pending and under consideration.

Rejection under 35 U.S.C. § 101

Claims 9-14 stand rejected under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter.

Claims 9-14 have been newly-amended to differently describe embodiments of the disclosure of the instant application and/or to improve the form of the claims. Applicants respectfully submit that claims 9-14, as newly-amended fully comply with 35 U.S.C. § 101 and thus are directed to statutory subject matter. Accordingly, withdrawal of the rejections under 35 U.S.C. § 101 is respectfully requested. In the event that the Examiner does not withdraw these rejections under 35 U.S.C. § 101 for some reason, the Examiner is requested to contact the Applicants' undersigned representative by telephone to discuss any necessary formalistic changes to avoid any delay in the prosecution of this application.

Rejection under 35 U.S.C. § 102 (e)

Claims 1-14 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Ando. In sections 5-10 of the Office Action, the Examiner states that Ando anticipates each of claims 1-14 of the instant application. Applicants respectfully traverse the Examiner's technical assertions in the Office Action in this regard for at least the following reasons.

Applicants respectfully submit that each of the independent claims of the instant application describes an advantageous and novel combination of features that are not disclosed by the applied Ando reference. For example, Applicants respectfully submit that the claimed "corresponding information" and the "identification information" of the instant application's independent claims are not disclosed in Ando to any extent.

More specifically, in section 5 of the Office Action, the Examiner states that "a second generating device" of the instant application's independent claim 1 is disclosed in paragraph 0306 of Ando. Applicants respectfully submit that paragraph 0306 of Ando, however, only discloses a "time map information" which indicates the relation between a time stamp value as the playback start position and a corresponding stream block. Applicants respectfully submit that Ando does not disclose the "corresponding information" of the invention, which includes "corresponding time information" and "corresponding position information," to any extent.

In section 5 of the Office Action, the Examiner states that "a third generating device" of independent claim 1 is disclosed in paragraph 0085 of Ando. Applicants respectfully submit that paragraph 0085 of Ando, however, only discloses a "first access point" that indicates the position of the time stamp with the value of itself. The first access point is different from the "identification information" of the invention. Applicants respectfully submit that Ando does not disclose the "identification information" of the invention, which indicates whether the receiving

time information and the corresponding information are both recorded on the recording medium to any extent.

In addition, Applicants respectfully submit that there is a specific relation between the "identification information" of the invention and the "specific information" of the invention. This relation is that the "identification information" indicates whether the corresponding information, which includes corresponding time information indicating a time corresponding to "the specific information" and corresponding position information indicating a position of the "specific information" in the set of unit information, is recorded on the recording medium.

Applicants respectfully submit that Ando, however, does not disclose such a relation as the relation between the "identification information" of the invention and the "specific information" in the manner specifically described in the combinations of each of independent claims 1, 5 and 9 of the instant application. Accordingly, for at least the foregoing reasons, Applicants respectfully submit that Ando does not disclose the "corresponding information" and the "identification information" in the manner described in independent claims 1, 5 and 9 of the instant application to any extent. Therefore, Applicants believe that claims 1-14 are not anticipated by Ando and these rejections should be withdrawn.

Accordingly, Applicants respectfully assert that the rejections under 35 U.S.C. § 102(e) should be withdrawn because Ando does not teach or suggest each feature of independent claims 1, 5 and 9 of the instant application. As pointed out in MPEP § 2131, "[t]o anticipate a claim, the reference must teach every element of the claim." Thus, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. Of California*, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987)."

Furthermore, Applicants respectfully assert that the dependent claims, including newly added dependent claims 15-17, are allowable at least because of their dependence from independent claim 1, 5 or 9, and the reasons discussed previously. Applicants note that support for the features of newly-added claims 15-17 can be found, for example, at page 20, line 14 of the instant application's specification.

In view of the foregoing, Applicants submit that the pending claims currently under consideration are in condition for allowance, and respectfully request reconsideration and timely allowance of these claims. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution. A favorable action is awaited.

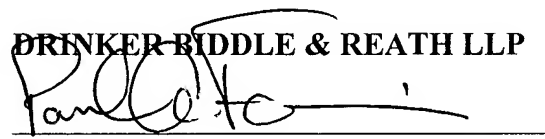
EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0573.

This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

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